

MIKAYAMA ET AL. -- 10/693,629  
Client/Matter: 021286-0306473

IN THE CLAIMS:

Please cancel claims 38 and 53 without prejudice. Please amend the claims as follows:

1.-30. (Cancel)

31. (Currently Amended) An isolated antibody or a functional fragment thereof which binds to human CD40, wherein the antibody or the functional fragment thereof has having amino acid sequences of a heavy chain variable region and a light chain variable region of the antibody produced by [[a]] the hybridoma 4D11 (Accession No: FERM BP-7758).

32. (Currently Amended) An isolated antibody or a functional fragment thereof which binds to human CD40, wherein the antibody or the functional fragment thereof has having amino acid sequences of the mature portions of a heavy chain variable region and a light chain variable region of the antibody produced by [[a]] the hybridoma 4D11 (Accession No: FERM BP-7758). which are respectively represented by SEQ ID NO:48 and SEQ ID NO:50.

33. (Currently Amended) An isolated antibody or a functional fragment thereof which binds to human CD40, wherein the antibody or the functional fragment thereof has having amino acid sequences of the mature portions of a heavy chain variable region and a light chain variable region of the antibody, which are represented by SEQ ID NO:48 and SEQ ID NO:50, respectively.

34. (Currently Amended) An isolated antibody or a functional fragment thereof which binds to human CD40, wherein the antibody or the functional fragment thereof has having amino acid sequences, which respectively range from the 27<sup>th</sup> Q residue to the 147<sup>th</sup> S residue of SEQ ID NO:48 and the 23<sup>rd</sup> A residue to the 128<sup>th</sup> K residue of SEQ ID NO:50.

35. (Currently Amended) An isolated antibody or a functional fragment thereof which ~~recognizes~~ binds to an epitope of human CD40 that the antibody ~~or a functional fragment thereof~~ produced by [[a]] the hybridoma 4D11 (Accession No: FERM BP-7758) recognizes binds to.

36. (Currently Amended) The isolated antibody or the functional fragment thereof which binds to human CD40 of any one of claims 31 to 35, which is a human antibody.

37. (Currently Amended) A pharmaceutical composition, containing as an active ingredient the isolated antibody or the functional fragment thereof which binds to human CD40 of any one of claims 31 to 36.

38. (Cancel)

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39. (Previously Presented) A hybridoma 4D11 (Accession No: FERM BP-7758).
40. (Currently Amended) An isolated antibody ~~or a functional fragment thereof~~ produced by ~~[[a]]~~ the hybridoma 4D11 (Accession No: FERM BP-7758).
41. (Amended) ~~[[A]]~~ An isolated nucleic acid encoding a heavy chain variable region of an antibody isolated from ~~[[a]]~~ the hybridoma 4D11 (Accession No: FERM BP-7758).
42. (Currently Amended) The isolated nucleic acid of claim 41, which is RNA or cDNA.
43. (Currently Amended) ~~[[A]]~~ An isolated nucleic acid encoding a light chain variable region of an antibody isolated from ~~[[a]]~~ the hybridoma 4D11 (Accession No: FERM BP-7758).
44. (Currently Amended) The isolated nucleic acid of claim 43, which is RNA or cDNA.
45. (Currently Amended) A vector containing the isolated nucleic acid of claims 41 or 43.
46. (Previously Presented) A host cell containing the vector of claim 45.
47. (Currently Amended) A method of producing an antibody or a functional fragment thereof which binds to human CD40, comprising culturing the host cell of claim 46 under conditions allowing expression of heavy or light chain variable regions thereby producing the ~~anti-CD40~~ antibody or the functional fragment thereof which binds to human CD40.
48. (Currently Amended) An isolated antibody or a functional fragment thereof which binds to human CD40, wherein the antibody or the functional fragment thereof ~~has~~ having amino acid sequences of the mature portions of a heavy chain variable region and a light chain variable region that are encoded by nucleic acid sequences ~~isolated from a hybridoma 4D11~~, which are respectively represented by SEQ ID NO:47 and SEQ ID NO:49.
49. (Currently Amended) An isolated antibody or a functional fragment thereof which binds to human CD40, wherein the antibody or the functional fragment thereof ~~has~~ having amino acid sequences encoded by nucleic acid sequences which respectively range from the 94<sup>th</sup> C to the 456<sup>th</sup> A of SEQ ID NO:47 and from the 125<sup>th</sup> G to the 442<sup>nd</sup> A of SEQ ID NO:49.
50. (Currently Amended) A method of producing an ~~anti-CD40~~ antibody or a functional fragment thereof which binds to human CD40, comprising culturing a host cell containing nucleic acid that encodes a heavy chain variable region or a light chain variable region of the antibody isolated from ~~[[a]]~~ the hybridoma 4D11 (Accession No: FERM BP-7758) under conditions allowing expression of heavy or light chain variable region thereby producing the ~~anti-CD40~~ antibody or the functional fragment thereof which binds to human CD40.

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51. (Currently Amended) The isolated antibody or the functional fragment thereof according to claim 31, wherein the functional fragment comprises a heavy chain variable region or a light chain variable region of the antibody produced by [[a]] the hybridoma 4D11 (Accession No: FERM BP-7758).

52. (Currently Amended) The isolated antibody or the functional fragment thereof according to claim 32, wherein the functional fragment comprises a mature portion of a heavy chain variable region or a mature portion of a light chain variable region of the antibody, which are respectively represented by SEQ ID NO:48 and SEQ ID NO:50.

53. (Cancel)